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NOTICE OF INTENT TO DENY RCRA PERMIT
AND TERMINATE INTERIM STATUS

Amana Refrigeration, Incorporated of Amana, Iowa requested that their status under the Resource Conservation and Recovery Act (RCRA) be changed to that of only a regulated generator. This would involve termination of interim status. Federal regulations require that the permitting agency issue or deny a permit in order to terminate interim status. Therefore, the U.S. Environmental Protection Agency, Region VII, Kansas City, Missouri announces its intent to deny a permit and terminate interim status for Amana Refrigeration, Incorporated. A notice of intent to deny a permit is a type of draft permit subject to procedures applicable to draft permits as set forth in 40 Code of Federal Regulations (CFR) Part 124.

Amana Refrigeration, Incorporated has been operating a hazardous waste storage facility under interim status. The stored hazardous wastes were generated by the facility as a result of the manufacturing processes conducted on the facility premises. On September 29, 1982, EPA requested that Amana Refrigeration, Incorporated submit a RCRA Part B permit application. The facility requested that their status be changed to that of only a regulated generator. This would constitute termination of interim status. A final permit decision to deny a permit will terminate interim status.

A copy of this notice and the administrative record, including all information submitted by Amana Refrigeration, Incorporated will be available for public review beginning on November 16, 1983, and ending on December 31, 1983.

The Public Notice attached to this document specifies the locations of the administrative record for public review and provides information on the public comment procedure.

David A. Wagoner
Director, Air and Waste Management Division

Date

ARWM/WMBR-PMTS:JGalbraith:x6531:11-1-83:Disk A/58

PMTS
Galbraith

PMTS
Degner

PMTS
Harrington

WMBR
Morby

ARWM
Spratlin

ARWM
Wagoner

11/4/83

11/4/83

11/7/83

11/1/83

11/1/83



STATEMENT OF BASIS
NOTICE OF INTENT TO DENY RCRA PERMIT
AND TERMINATE INTERIM STATUS

Amana Refrigeration, Incorporated of Amana, Iowa requested that their status under the Resource Conservation and Recovery Act (RCRA) be changed to that of only a regulated generator. This would involve termination of interim status. Federal regulations require that the permitting agency issue or deny a permit in order to terminate interim status. Therefore, the U.S. Environmental Protection Agency (EPA), Region VII, Kansas City, Missouri has announced its intent to deny a permit for the facility. A notice of intent to deny a permit is a type of draft permit subject to procedures applicable to draft permits as set forth in 40 Code of Federal Regulations (CFR) Part 124. This announcement of an intent to deny a permit is based on the following information:

- The facility was "in existence" on November 19, 1980, as required by Section 3005 of RCRA.
- The facility complied with the notification requirements of Section 3010(a) of RCRA.
- The facility submitted a RCRA Part A Hazardous Waste permit application as required by Section 3005 of RCRA.
- Therefore, the facility achieved interim status.
- The EPA requested the submittal of a RCRA Part B Hazardous Waste permit application on September 29, 1982, to be submitted by March 28, 1983.
- Amana Refrigeration, Incorporated submitted a letter to EPA on February 17, 1983. In this letter the facility stated that it: would store hazardous wastes for less than ninety days; and, therefore, requested that their status be changed to that of only a regulated generator.
- The Iowa Department of Water, Air and Waste Management (IDWAWM) sent a letter on June 28, 1983, to EPA in which IDWAWM stated that the Department was satisfied that Amana Refrigeration, Incorporated can ship their hazardous waste off-site in ninety days or less and that the interim status hazardous waste management facility is "closed" in accordance with current procedures, and recommended that Amana Refrigeration, Incorporated's interim status be terminated.
- Amana Refrigeration, Incorporated did not submit a Part B Hazardous Waste Permit application.

Denial of a RCRA permit constitutes termination of interim status in accordance with Section 3005 of RCRA.

The Public Notice attached to this document specifies the locations of the administrative record for public review and provides information on the public comment procedure.

PUBLIC NOTICE

AMANA REFRIGERATION, INCORPORATED OF AMANA, IOWA REQUESTED THAT THEIR STATUS UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) BE CHANGED TO THAT OF ONLY A REGULATED GENERATOR. THIS WOULD INVOLVE TERMINATION OF INTERIM STATUS. FEDERAL REGULATIONS REQUIRE THAT THE PERMITTING AGENCY ISSUE OR DENY A PERMIT IN ORDER TO TERMINATE INTERIM STATUS. THEREFORE, THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), REGION VII, KANSAS CITY, MISSOURI IS TODAY PROVIDING PUBLIC NOTICE OF ITS INTENT TO DENY A RCRA PERMIT AND TERMINATE INTERIM STATUS FOR AMANA REFRIGERATION, INCORPORATED.

Amana Refrigeration, Incorporated has been operating a hazardous waste storage facility under interim status. The stored wastes were generated by the facility as a result of manufacturing processes conducted on the premises. On September 29, 1982, EPA requested that Amana Refrigeration, Incorporated submit a RCRA Part B permit application. In lieu of submittal of a Part B application, Amana Refrigeration, Incorporated requested that their status be changed to that of only a regulated generator. A Part B Permit application was not submitted. The facility will continue to generate hazardous wastes but will no longer store hazardous wastes for periods of time in excess of 90 days. Under Section 3005 of RCRA, interim status is terminated at such time as final administrative disposition (issuance or denial) is made on a permit.

A Notice of Intent to Deny a permit is a type of draft permit subject to procedures applicable to draft permits as set forth in 40 Code of Federal Regulations (CFR) Part 124. The Notice of Intent to Deny is based upon an administrative record. The administrative record consists of the Notice of Intent to Deny RCRA Permit and Terminate Interim Status, the Statement of Basis which describes the reasons supporting the decision, and all data submitted by Amana Refrigeration, Incorporated. The administrative record is available for public review beginning on November 16, 1983, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday at: the EPA Region VII Library, 324 East 11th Street, Kansas City, Missouri; the Iowa Department of Water, Air and Waste Management (IDWAWM) Central Office, Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa; and at IDWAWM Region 6, 117 North Second Avenue, Washington, Iowa.

Comments or requests for additional information, including the Statement of Basis, should be directed in writing to Mr. Lyndell Harrington, Chief, Permits Section, Waste Management Branch, EPA Region VII, at the address listed above or by telephone at (816) 374-6531. Comments must be submitted by December 31, 1983.

The EPA has not scheduled a public hearing; however, if requests are received which indicate a significant degree of public interest in this Notice of Intent to Deny, a public hearing will be scheduled. Requests for a public hearing shall be in writing to EPA and shall state the nature of

the issues proposed to be raised in the hearing. Such requests must be submitted by December 31, 1983. The public notice and public hearing procedures may be found in 40 CFR Sections 124.11 and 124.12.

After consideration of all comments received, EPA will make a final permit decision. If the determination is substantially unchanged from that announced by this notice, EPA will notify all persons submitting written comments or requesting the notice of final permit determination. If the determination is substantially changed from that announced by this notice, a new Public Notice will be issued and the public participation process will be reopened.

PUBLIC NOTICE FOR RADIO BROADCAST

AMANA REFRIGERATION, INCORPORATED OF AMANA, IOWA REQUESTED THAT THEIR STATUS UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) BE CHANGED TO THAT OF ONLY A REGULATED GENERATOR. THIS WOULD INVOLVE TERMINATION OF INTERIM STATUS. FEDERAL REGULATIONS REQUIRE THAT THE PERMITTING AGENCY ISSUE OR DENY A PERMIT IN ORDER TO TERMINATE INTERIM STATUS. THEREFORE, THE ENVIRONMENTAL PROTECTION AGENCY (EPA) ANNOUNCED TODAY THAT IT HAS ISSUED A NOTICE OF INTENT TO DENY A RESOURCE CONSERVATION AND RECOVERY ACT PERMIT AND TERMINATE INTERIM STATUS TO AMANA REFRIGERATION, INCORPORATED. THIS ACTION IS A TYPE OF DRAFT PERMIT SUBJECT TO FEDERAL REGULATIONS AND WOULD RESULT IN TERMINATION OF INTERIM STATUS. A COPY OF THE NOTICE AND THE ADMINISTRATIVE RECORD FOR AMANA REFRIGERATION, INCORPORATED IS AVAILABLE FOR PUBLIC REVIEW AT THE EPA REGION VII LIBRARY IN KANSAS CITY, MISSOURI AND AT THE OFFICES OF THE IOWA DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT IN DES MOINES AND WASHINGTON, IOWA. ANYONE HAVING QUESTIONS OR COMMENTS ON THE NOTICE OF INTENT TO DENY A PERMIT OR REQUESTING A PUBLIC HEARING SHOULD CONTACT LYNDELL HARRINGTON OF THE EPA KANSAS CITY REGIONAL OFFICE AT (816) 374-6531 BEFORE DECEMBER 31, 1983.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE:

SUBJECT: Intent to Deny RCRA Permit and Terminate Interim Status

FROM:

Robert L. Morby
Chief, Waste Management Branch, ARWM

TO:

David A. Wagoner
Director, Air and Waste Management Division

Attached is the Notice of Intent to Deny RCRA Permit and Terminate Interim Status, Statement of Basis, Public Notice, and Public Notice for Broadcast for Amana Refrigeration, Incorporated, of Amana, Iowa. The following statements apply to this package:

- The facility has been contacted with regard to this action. No known controversy exists with regard to this action.
- Upon your signing the Notice, a letter and attachments will be sent to the applicant. The Public Notice and Public Notice for Broadcast will be sent to the appropriate media for publication. The Administrative Record will be sent to the appropriate IDWAWM offices and the EPA Library; the Notice of Intent to Deny and the Statement of Basis will be sent to the appropriate Federal, State and local government agencies.

We recommend you approve the package.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
324 EAST ELEVENTH STREET
KANSAS CITY, MISSOURI - 64106

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AND TERMINATE INTERIM STATUS

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fc William C. Sprath
David A. Wagoner
Director, Air and Waste Management Division

11/9/83
Date

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- The facility complied with the notification requirements of Section 3010(a) of RCRA.
- The facility submitted a RCRA Part A Hazardous Waste permit application as required by Section 3005 of RCRA.
- Therefore, the facility achieved interim status.
- The EPA requested the submittal of a RCRA Part B Hazardous Waste permit application on September 29, 1982, to be submitted by March 28, 1983.
- Amana Refrigeration, Incorporated submitted a letter to EPA on February 17, 1983. In this letter the facility stated that it: would store hazardous wastes for less than ninety days; and, therefore, requested that their status be changed to that of only a regulated generator.
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REGION VII
324 EAST ELEVENTH STREET
KANSAS CITY, MISSOURI - 64106

PUBLIC NOTICE

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